

ITW #

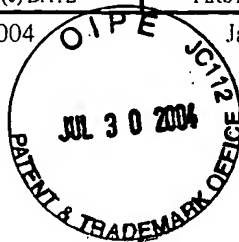


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/798,237	03/11/2004	James O. Burke	70-83

00757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610



CONFIRMATION NO. 3562

## FORMALITIES LETTER



\*OC000000012780313\*

Date Mailed: 05/26/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 5.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

08/02/2004 MAHED1 00000003 10798237  
 01 FC:2001 385.00 OP  
 02 FC:2051 65.00 OP  
 03 FC:2202 36.00 OP

- Additional claim fees of **\$470** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1370** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$470**
  - **\$180** for **10** total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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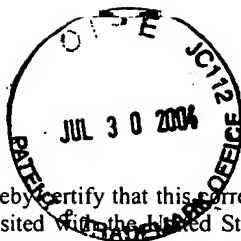
*A copy of this notice **MUST** be returned with the reply.*

*B. To*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313  
on July 26, 2004

Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of applicant, assignee or  
Registered Representative

Signature

July 26, 2004

Date of Signature

Case No. 70-83

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

BURKE et al.

Serial No.: 10/798,237

Filed: March 11, 2004

For: VEHICLE WITH  
SWITCHED  
SUPPLEMENTAL  
ENERGY STORAGE  
SYSTEM FOR ENGINE  
CRANKING

Attention: Manager,  
Application Branch

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn.: Mail Stop Missing Parts

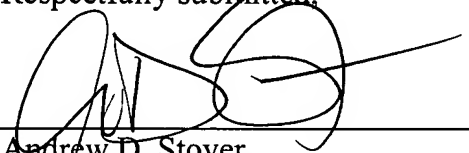
Dear Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated May 26, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

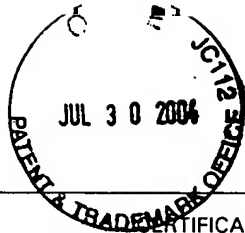
- ☒ Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.
- ☒ Applicant:
- ☒ claims small entity status. See 37 CFR1.27.
- ☐ is other than small entity
- ☒ Check totaling \$486.00 for:
- ☒ Filing Fee of \$385.00.
- ☒ Surcharge of \$65.00.
- ☒ Additional Claim Fees of \$36.00.
- ☒ Check for \$40.00 for the Assignment Recordal fee.
- ☐ Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- ☒ Preliminary Amendment.
- ☒ Assignment and Recordal Cover Sheet.
- ☒ Submission of Formal Drawings.
- ☒ Eight (8) drawing sheets.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: July 26, 2004

  
\_\_\_\_\_  
Andrew D. Stover  
Registration No. 38,629  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200



**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: July 26, 2004 Name: Andrew D. Stover, Reg. No. 38,629 Signature: [Signature]

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: **Burke et al.**

Appln. No.: **10/798,237**

Filed: **March 11, 2004**

For: **Vehicle with Switched Supplemental  
Energy Storage System for Engine  
Cranking**

Attorney Docket No: **70-83**

Examiner: **Unassigned**

Art Unit: **3747**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Response to Notice to File Missing Parts of Application Filing Date Granted with a copy of the Notice to File Missing Parts of Nonprovisional Application (in duplicate)
- ☒ Declaration for Patent Application
- ☒ Assignment and Recordal Cover Sheet
- ☒ Power of Attorney
- ☒ Submission of Formal Drawings
- ☒ 8 Drawings Sheets
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.
- ☒ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

Claims as Filed	Col. 1	Col. 2	Small Entity			Not a Small Entity	
For	No. Filed	No. Extra	Rate	Fee	or	Rate	Fee
Basic Fee				\$ 385	or		\$ 770
Total Claims	24-20	4	4 x \$9=	\$36	or	x\$18=	\$
Independent Claims	3-3	0	0x \$43=	\$0	or	x\$86=	\$
Multiple Dependent Claims Present			+\$145=	\$	or	+\$290=	\$
*If the difference in col. 1 is less than zero, enter "0" in col. 2.			Total	\$ 421	or	Total	\$

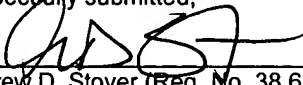
**Fee payment:**

- ☒ A check in the amount of \$486.00 for the filing fee (small entity), the surcharge, and fee for four (4) additional claims is enclosed.
- ☒ A check in the amount of \$40.00 for the Assignment recordal fee is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ . A copy of this Transmittal is enclosed for this purpose.

- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

July 26, 2004  
Date

Respectfully submitted,

  
Andrew D. Stover (Reg. No. 38,629)



I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450

on July 26, 2004

Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of applicant, assignee or  
Registered Representative

Signature

Date of Signature

Case No. 70-83

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BURKE et al.

Serial No: 10/798,237

Examiner: TBA

Filed: March 11, 2004

Group Art Unit: 3747

For: VEHICLE WITH SWITCHED  
SUPPLEMENTAL ENERGY  
STORAGE SYSTEM FOR  
ENGINE CRANKING

### SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of to File Missing Parts of Nonprovisional Application

Filing Date Granted mailed May 26, 2004, Applicants submit herewith eight (8) sheets of formal drawings. The drawings have been formalized in compliance with 37 C.F.R §§ 1.84 and 1.121.

Respectfully submitted,

Dated: July 26, 2004

A handwritten signature in black ink, appearing to read 'A. Stover', written over a horizontal line.

Andrew D. Stover  
Registration No. 38,629  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200